IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 144 OF 2007

Dr. Kalyan Sopanrao Munde. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Mr. L.M. Acharya for petitioner.

Mr. A.A. Kumbhakoni, Associate Adv. General

a/w Ms. Mamta Saadh, AGP.,

for Respondent nos. 1 & 2.

Ms. Simran Puri for Respondent No. 3.

..

Coram: J.N. PATEL &,

S.C. DHARMADHIKARI, JJ.

Date: 26th February, 2007.

P.C.

. Heard.

2. The learned counsel for the petitioner submits that in view of the peculiar facts and circumstances under which the petitioner was given admission in the D.M. Cardiology at Grant Medical College, Mumbai, the

petitioner may be permitted to withdraw the petition and approach the Medical Council of India by way of representation for seeking approval of his admission which was granted provisionally on 30.9.2006 for the academic year 2006-07.

2. We, therefore, permit the petitioner to withdraw the petition with liberty to approach the Medical Council of India. The Medical Council of India to consider the case of the petitioner for regularisation of his admission in view of the changed circumstances i.e. reinstatement of Dr. Bansal who was nominated as guide for the petitioner.

3. The learned counsel for the petitioner submits that the representation shall be made within a period of one week. On receipt of such a representation the Medical Council of India to take a decision in the matter within a period of two weeks in the back-drop of the facts and circumstances and keeping in mind the interest of the petitioner and the institution as paramount.

(J.N. Patel, J.)

(S.C. Dharmadhikari, J.)